

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**BLACKROCK ALLOCATION TARGET
SHARES: SERIES S PORTFOLIO, et al.,**

Plaintiffs,

-against-

**WELLS FARGO BANK, NATIONAL
ASSOCIATION,**

Defendant,

-and-

The Trusts Identified in Exhibit 1,

Nominal Defendants.

**ROYAL PARK INVESTMENTS SA/ NV,
Individually and on Behalf of All Others
Similarly Situated**

Plaintiffs,

-against-

WELLS FARGO BANK, N.A., as Trustee,

Defendant.

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Case No. 1:14-cv-9371-KPF-SN

**DEFENDANT'S NOTICE OF
MOTION TO DISMISS**

Case No. 1:14-cv-09764-KPF-SN

**NATIONAL CREDIT UNION
ADMINISTRATION BOARD, as
Liquidating Agent of U.S. Central Federal
Credit Union, Western Corporate Federal
Credit Union, Members United Corporate
Federal Credit Union, Southwest
Corporate Federal Credit Union, and
Constitution Corporate Federal Credit
Union, derivatively and in its own right,**

Plaintiffs,

-against-

**WELLS FARGO BANK, NATIONAL
ASSOCIATION,**

Defendant,

-and-

**NCUA GUARANTEED NOTES TRUST
2010-R1,
NCUA GUARANTEED NOTES TRUST
2010-R2,
NCUA GUARANTEED NOTES TRUST
2010-R3,
NCUA GUARANTEED NOTES TRUST
2011-R2,
NCUA GUARANTEED NOTES TRUST
2011-R4,
NCUA GUARANTEED NOTES TRUST
2011-R5,
NCUA GUARANTEED NOTES TRUST
2011-M1,**

Nominal Defendants.

$$\mathbf{x} \vdots \mathbf{x}$$

Case No. 1:14-cv-10067-KPF-SN

PHOENIX LIGHT SF LIMITED, et al.,	X	
Plaintiffs,	:	
-against-	:	Case No. 1:14-cv-10102-KPF-SN
WELLS FARGO BANK, N.A.,	:	
Defendant.	:	
	X	
COMMERZBANK AG,	X	
Plaintiff,	:	
-against-	:	Case No. 1:15-cv-10033-KPF-SN
WELLS FARGO BANK, N.A.,	:	
Defendant.	:	
	X	

PLEASE TAKE NOTICE that Defendant Wells Fargo Bank, N.A. (“Wells Fargo”), as trustee for the 53 residential mortgage-backed securitization trusts at issue in the above-captioned cases numbered 1:14-cv-9371-KPF-SN, 1:14-cv-09764-KPF-SN, 1:14-cv-10067-KPF-SN, 1:14-cv-10102-KPF-SN, and 1:15-cv-10033-KPF-SN, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, the Local Rules of the Southern District of New York, and the Individual Rules of this Court, hereby moves to be heard before the Honorable Katherine Polk Failla, United States District Court Judge, on a date to be determined by the Court, at the United States Courthouse for the Southern District of New York, 40 Foley Square, New York, New York, for an Order granting Defendant’s Motion to Dismiss the Complaints herein in their entirety with prejudice.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's June 29, 2016 Order, Plaintiffs shall submit a joint opposition brief by August 8, 2016, and Defendant shall file a reply brief by August 22, 2016.

Defendant's Motion to Dismiss is based upon:

- (1) the Accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss (filed in each of the five above-captioned cases),
- (2) the Declaration of Howard F. Sidman and the exhibits thereto (filed in each of the five above-captioned cases), and
- (3) the Affidavit of Dorothee Maye in Support of Wells Fargo's Motion to Dismiss the Complaint (filed only in the Commerzbank case).

Dated: July 8, 2016

JONES DAY

By: /s/ Howard F. Sidman

Jayant W. Tambe, Esq.
Howard F. Sidman, Esq.
Jason Jurgens, Esq.
250 Vesey Street
New York, NY 10281
Tel: (212) 326-3939
Fax: (212) 755-7306
jtambe@jonesday.com
hfsidman@jonesday.com
jjurgens@jonesday.com

Traci L. Lovitt, Esq.
100 High Street, 21st Floor
Boston, MA 02110
Tel: (617) 449-6900
Fax: (617) 449-6999
tlovitt@jonesday.com

Attorneys for Defendant Wells Fargo Bank, N.A.